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EXTRAORDINARY

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PART II—Section 2

प्रधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह खण्ड संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 15th April, 1966:—

BILL No. 20 OF 1966

A bill to provide for the medical check-up of the President and the Prime Minister of India from time to time at the All India Institute of Medical Sciences, New Delhi, and for matters connected therewith.

Be it enacted by Parliament in the Seventeenth year of the Republic of India as follows:—

1. (1) This Act may be called the Health (Periodical Medical Check-up of President and Prime Minister of India) Act, 1966.

Short title and commencement.

5 (2) It shall come into force at once.

2. (i) "President" means the President of India.

(ii) "Prime Minister" means the Prime Minister of India.

Definitions.

(iii) "Institute" means the All India Institute of Medical Sciences, New Delhi.

Periodical
check-up
of the
President
and the
Prime
Minister.

3. (1) The President and the Prime Minister, on assuming charge of their respective offices and thereafter every three months shall get themselves medically examined by a panel of specialists comprising the Director and the Heads of Departments of Medicine, Surgery and Pathology of the Institute.

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(2) The panel of specialists shall request the President and Prime Minister to remain in the Institute till such time as, in the opinion of the panel, might be necessary for the medical check-up.

Duties
of the
panel of
specialists.

4. (1) It shall be the duty of the panel of specialists to—

(i) make a thorough investigation of the state of health of 10
the President and the Prime Minister and prescribe the best remedies including medicines, the need for rest or change of climate, etc., in order to ensure their good health;

(ii) make a report in writing after the check-up, stating
the condition of their health.

15

(2) In case of the slightest doubt in regard to any ailment, major or minor, observed during the process of investigation or check-up, it shall be the duty of the panel of specialists to recommend to the Government that the President or the Prime Minister, as the case may be, be requested to enter the Institute for observation and remain there till such time as the panel considers necessary or till the ailment is diagnosed and properly treated.

Reports of
specialists
to be laid
before
Houses of
Parliament.

5. The report of the panel of specialists shall be laid on the Table of both Houses of Parliament from time to time.

Medical
Officer to
accompany
the
President
or the
Prime
Minister
on tours.

6. (1) Whenever the President or the Prime Minister goes out of 25
Delhi or out of the country, a medical officer shall accompany him, to provide medical aid.

(2) Such medical officer shall arrange to carry with him *inter alia*
the following equipment:—

1. Life-saving emergency drugs and chemicals;

30

2. Resuscitation equipment like Oxygen Cylinder—Masks
and cardiac massage apparatus;

3. Airways and intubation apparatus.

STATEMENT OF OBJECTS AND REASONS

Our two able and well-known Prime Ministers have died in harness in quick succession. The heavy work-load, which ought to have been followed up by proper medical attention, care and check-up from time to time, would undoubtedly go a far way in lessening the tension, fatigue and exhaustion. It is suggested that the President and the Prime Minister whose lives are very dear and precious to the nation should be looked after properly and they should be checked up medically from time to time to ensure good health to them and satisfaction to the entire nation.

Hence this Bill.

C. B. SINGH.

NEW DELHI;

The 17th February, 1966.

FINANCIAL MEMORANDUM

Clause 6 of the Bill will involve expenditure from the Consolidated Fund of India on account of the travelling expenses of the Medical Officer to accompany the President and the Prime Minister on their tours. Although it is not possible to assess the exact amount of the expenditure involved, it is expected that a sum of rupees fifty thousand per annum will be sufficient for this purpose.

BILL NO. 30 OF 1966

A bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1966.

5 (2) It shall come into force at once.

Short
title and
com-
mence-
ment.

Amend-
ment of
article 80.

2. In article 80 of the Constitution, after clause (4), the following proviso shall be inserted, namely:—

“Provided that in States where there is no functioning Legislative Assembly because of the imposition of President's rule under article 356 of this Constitution, the members of the Council of States from such a State or States shall be elected on a temporary basis by the elected members of the House of the People from such a State or States in accordance with the aforesaid system of election for a period during which no Legislative Assembly exists in that State or States, which, upon coming into being, will proceed to elect its own representatives to replace the ones temporarily elected by the elected members of the House of the People.”

Amend-
ment of
article 87.

3. In article 87 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

“(3) During the President's Address to both Houses of Parliament assembled together, the Speaker of the House of the People or the senior-most member of that House shall be in control of the proceedings and members' disorderly behaviour shall be dealt with later by the appropriate House and its presiding authority.”

Amend-
ment of
Article
176.

4. In article 176 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

“(3) During the Governor's Address to the Legislative Assembly or, in the case of a State having a Legislative Council, both Houses assembled together, the Speaker of the Legislative Assembly or the senior-most member of that House shall be in control of the proceedings and members' disorderly behaviour shall be dealt with later by the appropriate House and its presiding authority.”

STATEMENT OF OBJECTS AND REASONS

The continuation of President's rule following the break-down of the Constitutional machinery in the State of Kerala and conjunction of this fact with the biennial elections to Rajya Sabha has created a Constitutional crisis which cannot be overcome merely by passing a new statute or amending any existing one.

Whether Rajya Sabha, without proper representation of Kerala in it, could be considered to be properly constituted in terms of article 80 at all is a moot question. While existence of vacancies is covered by article 100 (4), this is not a case of an isolated vacancy but non-representation of a whole State which seriously compromises the proper constitution of the Council of States and thereby of Parliament itself.

The Constitution does not specify as to who shall be incharge of the disciplinary control of proceedings during President's and Governor's Addresses to the Houses of the Union or State Legislatures assembled together, as the case may be. This question came to the fore during the President's Address to Parliament in 1962 and again at the time of the Governor's Address to the Rajasthan Legislative Assembly recently.

These amendments seek to remove these lacunae in the Constitution.

KISHEN PATTNAYAK.

NEW DELHI;

The 8th March, 1966.

BILL No. 28 OF 1966

A bill to provide for the re-marriage of Hindu widowers.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

Short
title,
extent
and
com-
mence-
ment.

1. (1) This Act may be called the Hindu Widowers' Re-marriage Act, 1966.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. A Hindu widower who intends to re-marry shall marry only a widow. Re-marriage of Hindu Widowers.

Explanation—(i) “widower” includes a male person whose marriage with his previous wife has been dissolved by a decree of divorce. Hindu Widowers.

(ii) “widow” includes a female person whose marriage with her previous husband has been dissolved by a decree of divorce.

3. Any person who contravenes the provisions of section 2 shall be punishable with imprisonment which may extend to three years or with fine which may extend upto five thousand rupees, and the marriage so performed shall be void. Penalties.

STATEMENT OF OBJECTS AND REASONS

With a view to ameliorate the plight of the Hindu widows and to improve their economic and social condition, it is necessary that the Hindu widowers should be restrained from marrying virgins.

Hence this Bill.

NEW DELHI;

JAGDEV SINGH SIDDHANTL

The 8th March, 1966.

BILL No. 31 OF 1966

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

- | | |
|---|--|
| <p>1. (1) This Act may be called the Constitution (Amendment) Act, 1966.</p> <p>5 (2) It shall come into force at once.</p> | <p>Short
title and
com-
mence-
ment.</p> |
|---|--|

Amendment of article 59.

2. In article 59 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

“(2A) The President shall not, during his term of office, be a member of any political party, and shall not engage in any partisan political activity.” 5

Amendment of article 66.

3. In article 66 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

“(2A) The Vice-President shall not, during his term of office, be a member of any political party, and shall not engage in any partisan political activity.” 10

Insertion of new article 93A.

4. After article 93 of the Constitution, the following new article shall be inserted, namely:—

“93A. The Speaker or the Deputy Speaker, as the case may be, shall not, during his term of office, be a member of any political party, and shall not engage in any partisan political activity.” 15

Speaker and Deputy Speaker not to be a member of any political party.

Amendment of article 158.

5. In article 158 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

“(2A) The Governor shall not, during his term of office, be a member of any political party, and shall not engage in any partisan political activity.” 20

Insertion of new article 178A.

6. After article 178 of the Constitution, the following new article shall be inserted, namely:—

“178A. The Speaker or the Deputy Speaker, as the case may be, shall not, during his term of office, be a member of any political party, and shall not engage in any partisan political activity.” 25

Speaker and Deputy Speaker not to be a member of any political party.

7. After article 182 of the Constitution, the following new article shall be inserted, namely:—

Insertion
of new
article
182A.

“182A. The Chairman or the Deputy Chairman, as the case may be, shall not, during his term of office, be a member of any political party, and shall not engage in any partisan political activity.”

Chairman
and
Deputy
Chairman
not to be
a member
of any
political
party.

STATEMENT OF OBJECTS AND REASONS

In consonance with the highest traditions of the best Parliaments of the world, it is essential that the incumbents of certain high offices under the Constitution should be free from the trammels and constraints that arise from membership of a political party. Else, they will not be above suspicion, and to that extent will be hampered in the proper and efficient discharge of their duties.

Certain recent events have been somewhat disquieting and have highlighted the dangerous anomaly of Constitutional dignitaries adopting a partisan attitude, thereby injuring the fabric of parliamentary democracy.

It is necessary, therefore, to impose certain Constitutional restrictions on the conduct of high dignitaries mentioned above.

The Bill seeks to achieve this object.

NEW DELHI;

HARI VISHNU KAMATH.

The 15th March, 1966.

S. L. SHAKDHER,
Secretary.

CORRIGENDUM

In the Extraordinary issue of the Gazette of India, Part II, Section 2, dated the 7th April, 1966 (Bill No. VI of 1966—the University Grants Commission (Amendment) Bill, 1966) at page 239, lines 4-5, for “(e) The Central Government will be empowered to make rules” read “(e) The Commission will be empowered to make, with the previous approval of the Central Government, regulations”
